

**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

Case Number

0605-0064

Case Title:

Gulfport Energy - West Cote Blanche Bay

Reporting Office:

Baton Rouge, LA, Resident Office

Subject of Report:

C-IAR

Activity Date:

September 27, 2015

Reporting Official and Date:

(b) (7)(C), (b) (6)

Special Agent

30-SEP-2015, Signed by (b) (7)(C), (b) (6)

Approving Official and Date:

(b) (7)(C), (b) (6)

Assistant Special Agent in Charge

Assistant Special Agent in Charge

01-OCT-2015, Approved by (b) (7)(C), (b) (6)

SYNOPSIS

The Baton Rouge Resident Office conducted an investigation of Gulfport Energy Corporation for criminal violations of the Clean Water Act.

This will serve as the closing investigative activity report (C-IAR).

DETAILS

REASON FOR CASE CLOSURE:

The following two (2) defendants were charged and sentenced and no other charges will be brought in this matter:

On September 22, 2014, a Bill of Information was filed in United States District Court, Western District of Louisiana, Lafayette Division, which charged Gulfport Energy Corporation (Gulfport) with one (1) Misdemeanor count of 33 USC 1319 (c) (1) (A).

On October 27, 2014, a representative of Gulfport appeared before United States Magistrate Judge Patrick J. Hanna in U.S. District Court for the Western District of Louisiana, Lafayette, Louisiana, at which time Gulfport was arraigned, plead guilty to the Bill of Information which was previously filed and charged Gulfport with one (1) Misdemeanor count of 33 USC 1319 (c) (1) (A).

Gulfport was sentenced pursuant to a plea agreement to pay a criminal fine of \$1.125 Million dollars and \$375,000 in restitution, of which \$125,000 was paid to Louisiana Wildlife & Fisheries Public Oyster Seed Ground Account, \$100,000 was paid to the Louisiana State Police – Emergency Services Unit, \$100,000 was paid to Louisiana Department of Environmental Quality and the remaining \$50,000 was paid to the Southern Environmental Enforcement Network.

On June 29, 2015, a Bill of Information was filed in United States District Court, Western District of Louisiana, Lafayette Division, which charged (b) (7)(C), (b) (6), Gulfport Operations Manager with violating one (1) count of 33 USC 1319 (c) (1) (A), specifically the negligent discharge of a pollutant (produced waters) into waters of the United States (West Cote Blanche Bay) in violation of a permit.

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On July 15, 2015, (b) (7)(C), (b) (6) appeared in U.S. District Court and pled guilty to violating one (1) count of 33 USC 1319(c)(1)(A), specifically, Negligently Discharging a Pollutant into Waters of the United States. (b) (7)(C), (b) (6) was immediately sentenced by the Court to serve 1 day of incarceration, 1 year of supervised release and 200 hours of community service.

DISPOSITION OF EVIDENCE:

On August 24, 2015, Special Agent (b) (7)(C), (b) (6) destroyed the four (4) DVD+R discs which contained Federal Grand Jury documents from Shamrock Management. The discs were destroyed by running them through a disc destroyer machine which makes the discs unreadable and unusable.

On August 26, 2015, Special Agent (b) (7)(C), (b) (6) met with Gulfport Energy Corporation's legal counsel, (b) (7)(C), (b) (6) at the law offices of Phelps Dunbar, LLP, which is located at 365 Canal Street, Suite 2000, New Orleans, Louisiana, at which time (b) (7)(C), (b) (6) signed for the two (2) Seagate hard drives which were previously produced by Gulfport. The hard drives are specifically identified by the following serial numbers: NA03TKHT and NA03FFNL5.

On August 26, 2015, Special Agent (b) (7)(C), (b) (6) met with (b) (7)(C), (b) (6), who is the assistant to (b) (7)(C), (b) (6), legal counsel for ES&H. SA (b) (7)(C), (b) (6) met with (b) (7)(C), (b) (6) at the law office of Adams and Reese, LLP, which is located at 701 Poydras Street, New Orleans, Louisiana, at which time (b) (7)(C), (b) (6) signed for the hard drive previously provided which is further identified by serial number WXB1C1234987.

No NCFL or NEIC laboratory or technical support was utilized in this case; as such there is no need for notification of case closure nor request to dispose of evidence.

REFERRAL TO ANOTHER AGENCY/OFFICE:

This case was not referred to another agency / office.

All emails have been saved to the CCRS case file and any records not uploaded to CCRS will be maintained in accordance with EPA Rule 208.

This investigation is closed.

ATTACHMENT

Gulfport Energy Case Closing Checklist

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